

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

MID-PACIFIC REGION

SOUTH-CENTRAL CALIFORNIA AREA OFFICE
FRESNO, CALIFORNIA

FINDING OF NO SIGNIFICANT IMPACT

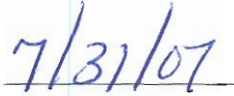
CONSTRUCTION OF CONVEYOR SYSTEM OVER THE
DELTA-MENDOTA CANAL
AT MILEPOST 80, MERCED COUNTY

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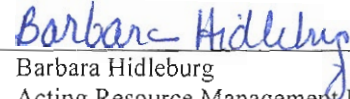
Recommended by:


Laura Myers
Natural Resource Specialist
South Central California Area Office

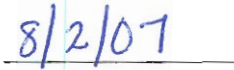
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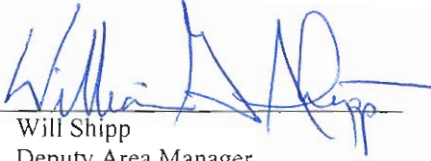
Concurred by:


Barbara Hidleburg
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South Central California Area Office

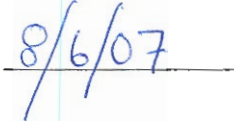
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Approved by:


Will Shipp
Deputy Area Manager
South Central California Area Office

Date:



**FINDING OF NO SIGNIFICANT IMPACT
CONSTRUCTION OF CONVEYOR SYSTEM OVER THE
DELTA-MENDOTA CANAL
AT MILEPOST 80, MERCED COUNTY**

In accordance with section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the South-Central California Area Office of the U.S. Bureau of Reclamation (Reclamation), has determined that the approval of the conveyer project over the Delta-Mendota Canal (DMC) is not a major federal action that would significantly affect the quality of the human environment and an environmental impact statement is not required. This Finding of No Significant Impact is supported by Reclamation's Environmental Assessment (EA) Number EA-07-50, *Construction of Conveyer System over the Delta-Mendota Canal at Milepost 80, Merced County*, and is hereby incorporated by reference.

BACKGROUND

The purpose of the proposed project is to approve a 10-year license for construction and use of a conveyor system over the DMC to Triangle Rock Products, Inc. (Triangle). The proposed project will make it possible for Triangle to transport aggregate materials over the DMC to its aggregate operation located on its property on the opposite side of the DMC versus trucking material over a road crossing. The conveyor system will save time and cost in the transportation of aggregate materials. Additionally, operational safety will be improved by eliminating the hauling of aggregate by truck across the existing canal bridge.

The conveyor crossing would be constructed on land within the project area and then lifted by crane as a single unit spanning the canal and set on the footings. The project area consists of a 200 meter by 50 meter area, which extends across the canal approximately ¼ mile northwest of Creek Road Crossing.

FINDINGS

Water Resources:

No changes will be required to existing operations.

Triangle has requested that Reclamation permit Triangle to construct a conveyor system over the DMC by granting a 10-year license. Aggregate material will fall into a catch chute that will be placed under the conveyor belt to prevent material from falling into the DMC. Side protection will be placed part way up the conveyor truss, high enough to shield the aggregate material on the conveyor system from wind and prevent it from blowing it into the DMC.

Water will be used during construction; however, the primary use will be for fugitive dust abatement to ensure air quality concerns have been addressed. The quantity of water will be small and only a temporary use. No hazardous materials will be associated with the proposed action and, therefore, will not adversely affect surface and groundwater quality. The proposed action is not expected to cause significant environmental impacts.

Land Use: The temporary work area will occupy a 200 meter by 50 meter area. The area is essentially level and will involve minor grading and excavation activities to install support footings and structures to support and install the conveyor system. Total dirt excavated will be approximately 74 cubic yards. Dirt excavated from the footings will be backfilled around the completed footings and the remainder distributed evenly around and between the footings. Slope stability will not be an issue as there are no slopes or major excavations. Therefore, the Proposed Action will not cause changes to land use.

Biological Resources: There is no proposed or designated critical habitat in the project area and so none will be affected.

Due to the lack of suitable breeding habitat nearby, the disturbed nature of the aggregate pits and the presence of the DMC, which may have already fragmented historical habitat, the California tiger salamander is not expected to occur in the project area and therefore will not be affected.

The site is in the greater Santa Nella area, which has been identified by the U.S. Fish and Wildlife Service as an important area for the movement of kit foxes between the northern part of their range and populations further to the south, including Ciervo/Panoche. Although kit foxes may use the DMC as a linear corridor, the presence of active aggregate pits will discourage kit foxes from denning in the area, due to the lack of ground squirrels that would provide dens and a prey base. No effects are anticipated on the San Joaquin kit fox; the high level of disturbance will discourage their use of the area and the installation of exclusion gates will prevent them from accessing the conveyor system once it is constructed. However, because there is grassland habitat around the quarry and there will be ground disturbance in an upland area, a standard preconstruction survey will be conducted by a qualified biologist and avoidance measures must be implemented.

The western burrowing owl, which is protected by the Migratory Bird Treaty Act, has not been detected in the project area and is unlikely to occur, for reasons similar to those outlined above for the San Joaquin kit fox. The western burrowing owl also depends primarily on ground squirrel burrows or man-made structures for its burrows, but unlike the San Joaquin kit fox, its diet is less dependent on small mammals that would be discouraged from occupying the area by the operation of the aggregate pits. Furthermore, burrowing owls are somewhat more mobile, so they may not be quite as affected by habitat fragmentation. A preconstruction survey will still be conducted to verify absence. If burrowing owls are detected near the project area, they must be avoided by standard California Department of Fish and Game-approved buffers. In the unlikely event that any burrowing owls are found, the buffers would reduce effects to a minimum and will ensure compliance with the Migratory Bird Treaty Act.

Cultural Resources: The proposed action to issue a 10-year license to Triangle to construct and use a conveyor over the Delta Mendota Canal (DMC) near milepost 80 in Merced County was determined to be the type of action that has the potential to affect historic properties. As a result, Reclamation entered into consultation with the California State Historic Preservation Officer (SHPO) on a finding of no adverse affect as outlined in the regulations at 36 CFR Part 800.5(b). Triangle proposes to construct an approximately 200 foot long conveyor, spanning across the DMC. The conveyor belt will be 3 feet wide and be supported by an 11-foot wide truss and be a distance of 15 feet above the canal. One resource exists within the Area of Potential Effect, the DMC. The DMC has been determined eligible for the National Register of Historic Places (National Register)

as part of the Central Valley Project under Criterion A, for its association with irrigation and agricultural development. Reclamation entered into consultation with SHPO on June 12, 2007. SHPO concurrence on our finding of no adverse affect was received July 13, 2007.

Indian Trust Assets: This action will have no adverse effect on Indian trust assets. The nearest ITA to the proposed site is approximately 33 miles southwest and it is a Public Domain Allotment.

Socioeconomic Resources: The construction and operation of a conveyor system over the DMC will not alter existing surface mining operations and, therefore, will not directly affect socioeconomic resources. However, there might be a slight indirect benefit. Truck hauling operation costs (fuel, oil, maintenance, engine repairs, tires, etc.) increase and are usually passed on to customers. The conveyor system will eliminate fuel and other costs previously passed on to customers.

Environmental Justice: The construction and operation of a conveyor system over the DMC will not alter existing surface mining operations and, therefore, will not adversely affect minority or disadvantaged populations in the project area.

Cumulative Impacts: The proposed action will not contribute to changes to existing CVP operations. It will not change the amount of irrigated lands. It will not contribute to major land use changes or impacts to agricultural land. As the proposed action is not expected to affect any federally listed species, it will not contribute cumulatively to any effects on federally listed species. It will not adversely affect cultural resources. The proposed action will be a minor change to the existing surface mining operation. Operational efficiencies and safety will be improved.

Approval would not have highly controversial or uncertain environmental effects or involve unique or unknown risks. Impacts associated with the proposed action are minor, short-term, localized and temporary in nature; therefore, there are no significant cumulative impacts associated with this project.